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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,914	11/21/2003	Gerard Jakuszeski	09-9540-6520-0000-4	2405
7590 01/27/2005			EXAMINER	
Dana Andrew Alden MacLean-Fogg Company 1000 Allanson Road Mundelein, IL 60060			SAETHER, FLEMMING	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/718,914

Applicant(s)

JAKUSZESKI ET AL.

Examiner

Flemming Saether

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bungarz (US 369,392) in view of Evans (US 3,247,877). Bungarz discloses a U-bolt having a curved portion (a) and ends (a') each including a thread wherein the distance between the ends is shorter than the length of the ends. Bungarz does not disclose the structure of the threads as claimed. Evans discloses a thread structure comprising trilobular shape (see Fig. 6) with a locking structure formed by a first and second locking surfaces (the thread flanks) with a relative angle of 60° and a root surface angled at 6° (column 5, lines 26-31). In operation, the nut thread re-forms as it is threaded onto the thread structure (see Fig. 7). At the time the invention was made, it would have been obvious for one of ordinary skill in the art to form the thread of Bungarz as disclosed in Evans so that the threads would be lock the nut in the tightened positioned and prevent it for backing off and possible failure of the U-bolt. The examiner takes notice that it is well know in the art to provide a washer to a nut and bolt.

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bungarz in view of Evans as applied to claim 1 above, and further in view of Downey (US 4,341,497). Modified Bungarz does not disclose a conventional Vee thread.

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Downey discloses a conventional Vee thread (23) having a 60° flank angle leading to a thread structure which re-forms a nut thread. At the time the invention was made, it would have been obvious for one of ordinary skill in the art to provide modified Bungarz with a Vee shaped thread as disclosed in Downey to provide a lead in for the nut. The lead in would insure proper threading prior to the re-form threads so the re-form threads would operate as intended.

Claims 16-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bungarz in view of Evans as applied to claim 1 above, and further in view of Donovan (US 6,155,761). Modified Bungarz does not disclose a guide thread having a curved thread surface. Donovan discloses a curved thread surface (at 48) formed between a pair of conventional 60° flanks. At the time the invention was made, it would have been obvious for one of ordinary skill in the art to provide modified Bungarz with a curved shaped thread as disclosed in Donovan to provide a lead in for the nut to ensure that it does not cross-thread. The lead in would insure proper threading prior to the re-form threads so the re-form threads would operate as intended.

Claims 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bungarz in view of Evans as applied to claim 1 above, and further in view of Garver (US 6,062,786). Modified Bungarz does not disclose a curved thread surface. Garver discloses a curved thread surface (Fig 9A) with curved flanks and a plateau thread surface (Fig. 9B) including plateaus that would form a frusto-conical shape (Fig. 9B). At

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the time the invention was made, it would have been obvious for one of ordinary skill in the art to provide modified Bungarz with a shaped thread as disclosed in Garver to provide a lead in for the nut to ensure that it does not cross-thread. The lead in would insure proper threading prior to the re-form threads so the re-form threads would operate as intended.

Conclusion

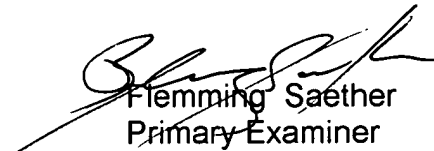
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Flemming Saether whose telephone number is 703-308-0182. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Flemming Saether
Primary Examiner
Art Unit 3677

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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/718714	Nov 21, 2003	Cezard Jakuszeski	09-9540-6520-0000-4

EXAMINER

ART UNIT

PAPER

20050111

DATE MAILED:


Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

In view of the papers filed 19 November 2003, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by the addition of John V. Crowe and Larry J. Wilson as inventors.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of Office records to reflect the inventorship as corrected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Flemming Saether whose telephone number is 703-308-0182. The examiner can normally be reached on Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Flemming Saether
Primary Examiner
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